

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

UNITED STATES OF AMERICA, Case No. SA 15-0452M

Plaintiff, ORDER OF DETENTION

v.

ERIC EFREN TREJO,

Defendant.

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I.

A. (X) On motion of the Government in a case allegedly involving:

1. (X) a crime of violence.
2. () an offense with maximum sentence of life imprisonment or death.
3. () a narcotics or controlled substance offense with maximum sentence of
ten years or more.
4. () any felony - where defendant convicted of two or more prior offenses
described above.

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5. () any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

B. (X) On motion by the Government/() on Court's own motion, in a case allegedly involving:

(X) On the further allegation by the Government of:

1. (X) a serious risk that the defendant will flee.

2. () a serious risk that the defendant will:

a. () obstruct or attempt to obstruct justice.

b. () threaten, injure or intimidate a prospective witness or juror, or attempt to do so.

C. The Government () is/(X) is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community.

III.

A. (X) The Court finds that no condition or combination of conditions will reasonably assure:

1. () the appearance of the defendant as required.

() and/or

2. (X) the safety of any person or the community.

B. () The Court finds that the defendant has not rebutted by sufficient evidence to the contrary the presumption provided by statute.

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1 III.

2 The Court has considered:

3 A. (X) the nature and circumstances of the offense(s) charged, including whether the
4 offense is a crime of violence, a Federal crime of terrorism, or involves a
5 minor victim or a controlled substance, firearm, explosive, or destructive
6 device;

7 B. (X) the weight of the evidence against the defendant;

8 C. (X) the history and characteristics of the defendant; and

9 D. (X) the nature and seriousness of the danger to any person or the community.

10 IV.

11 The Court also has considered all the evidence presented at the hearing and the
12 arguments and/or statements of counsel, and the Pretrial Services Report/recommendation

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14 V.

15 The Court bases the foregoing finding(s) on the following:

16 A. () As to flight risk:

17 B. (X) As to danger:

18 *The Court finds that the government has met its burden of establishing by clear and convincing
19 evidence that there are no conditions or combination of conditions that will reasonably assure
20 the safety of any other person and the community. The Court bases its finding on the facts
21 proffered by the government in the instant complaint (SA 15-452M) as well as the related
22 search warrant affidavit (SA 15-458M). The latter document implicates Defendant as a
23 member of a bank robbery "crew" that has conducted as many as 10 bank robberies in southern
24 California since April of this year. These robberies included "takeover" robberies and the use of
25 a firearm in connection with one robbery, allegations which cause the Court particular concern.
26 The Court considered whether a condition of location monitoring together with home
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1 confinement or other restrictions would reasonably assure the safety of the community; however,
2 the Court's ultimate conclusion is that any assurance offered by such a condition would be
3 inadequate in light of the crimes of violence and use of a firearm described in the affidavits.
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5 VI.

6 A. () The Court finds that a serious risk exists the defendant will:
7 1. () obstruct or attempt to obstruct justice.
8 2. () attempt to/ () threaten, injure or intimidate a witness or juror.
9 B. The Court bases the foregoing finding(s) on the following:
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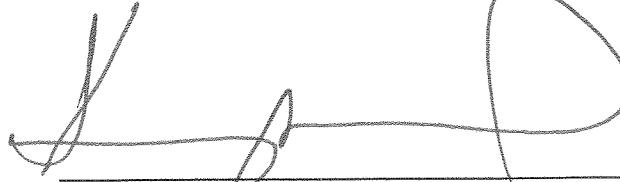
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13 VII.

14 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
15 B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the
16 Attorney General for confinement in a corrections facility separate, to the extent
17 practicable, from persons awaiting or serving sentences or being held in custody
18 pending appeal.
19 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity
20 for private consultation with counsel.
21 D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on
22 request of any attorney for the Government, the person in charge of the corrections
23 facility in which defendant is confined deliver the defendant to a United States
24 marshal for the purpose of an appearance in connection with a court proceeding.

25 Dated: Sept. 2, 2015



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28 DOUGLAS F. McCORMICK
United States Magistrate Judge